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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,172	06/30/2003	CHUAN-YU HSU	9474-US-PA	1171
43831	7590	07/20/2007		
BERKELEY LAW & TECHNOLOGY GROUP, LLP 17933 NW Evergreen Parkway, Suite 250 BEAVERTON, OR 97006			EXAMINER LEE, CHEUKFAN	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 07/20/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/604,172		HSU ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Cheukfan Lee		2625	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 June 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-9 is/are rejected.
- 7) ☒ Claim(s) 1-4 and 10-14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

1. Claims 1-14 are pending. Claims 1, 5, 9, 10, and 13 are independent.

2. Claims 1-14 are objected to because of the following:

Claim 1, line 4, "at least including" should read – including at least --.

Claims 2-4 are objected to as being dependent on objected claim 1.

Claim 5, lines 12-13, it is unclear whether "the set of reflecting mirrors" is referring "a plurality of reflecting mirrors" of line 10.

Claim 7, "the reflecting mirrors" and "has" do not subject-verb agreement.

Claim 8, "a length of the scan line" should be changed to – the length of the scan line – if the term is referring to "a length of the scan line" of line 8 of claim 5.

Claims 6-8 are objected to as being dependent on objected claim 5.

Claim 9, line 1, claim 10, line 4, and claim 13, line 1, "at least comprising" should be changed to – comprising – since "comprising" already is for an open-end statement. Use of "at least" in front of "comprising" makes it redundant.

Claims 11, 12, and 14 are objected to as being dependent on objected claim 10 or claim 13.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2625

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 5-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Applicant's admitted prior art.

Regarding claim 5, Applicant's admitted prior art method and scanner are discussed in the specification, paragraph [0007], with reference to prior art Figs. 1-3. A method of Applicant's prior art meets the claim 5 method to the extent of the claim. The scanner has a platform (106) and a scanning head (110) capable of moving in a scanning direction (a direction into or out of the page showing Fig. 1) to scan a document (108) placed on the platform (106). A scattering light source (lamp 112) mounted on the scanning head (110) is provided. A parallel beam (113) is projected from the scattering light source (112) onto the platform (106) to produce a scan line (a produced scan line as viewed from above the platform (106) and the upper portions of the outer casing 102), a length of the scan line is automatically defined as a maximum width of scanning on the document as allowed by the upper portions of the outer casing 102 and as viewed from above the platform 106), a plurality of reflecting mirrors (114s) sequentially positioned along an optical path beyond the document (108) are provided (Fig. 2), a lens (116) positioned along an optical path beyond the plurality of reflecting mirrors is provided (Fig. 2), and a photo-sensor (118) is provided along an optical path

beyond the lens (116). The parallel beam from the light source (112) projecting onto the platform (106) sequentially passes through the reflecting mirrors (114s) and the lens (116) to arrive at the photo-sensor (118) after reflection (Fig. 2).

Regarding claim 6, the light source (112) includes a scattering lamp tube (112) (Figs. 1 and 3).

Regarding claim 7, according to prior art Fig. 2, the reflecting mirrors (the two mirrors positioned closer to the lens 116) each have a length smaller than the length of the scattering light source (112).

Regarding claim 8, the length of the scan line as defined and discussed above for claim 5 is considered an optimal width of the window (the window having a length L3 shown in Fig. 1) on the platform (106) allowable because of the upper portions of the outer casing (102).

5. Claim 9 is rejected under 35 U.S.C. 102(e) as being anticipated by Kitamura et al. (U.S. Patent No. 6,747,765).

Regarding claim 9, Kitamura et al. discloses an outer casing and a platform for a scanner, comprising an outer casing (shown in Fig. 1) having an opening section (see top part of Fig. 1), wherein lower edges of the opening section have supporting surfaces, and a platform (202) on the supporting surfaces, wherein an area of the platform (202) is identical to an area of the opening section.

Art Unit: 2625

6. Claims 1-4 and 10-14 would be allowable if rewritten or amended to overcome the objection(s) set forth in this Office action.

7. The following is an examiner's statement of reasons for allowance:

Claims 1, 10 and 13 would be allowable because in Applicant's admitted prior art (Figs. 1 and 3), the length of the long side of the shell body of the scanning head (110) is not smaller than the length of the platform (106) along a direction perpendicular to the scanning direction (a direction into the page).

Claims 2-4 depend on claim 1.

Claims 11 and 12 depend on claim 10.

Claim 14 depends on claim 13.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Haas et al. (U.S. Patent No. 7,145,701), "Scanner comprising a housing configured to facilitate manual removal of an object from the scanner platen"

Gann (U.S. Patent No. 6,768,564), housing in Fig. 1

Art Unit: 2625

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cheukfan Lee  
June 18, 2007